



PATENT
0760-0281P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant(s):	Jun UEKI	Conf.:	7119
Appl. No.:	09/600,602	Group:	1636
Filed:	October 3, 2000	Examiner:	LAMBERTSON,
D.A.			

For: NUCLEIC ACID FRAGMENTS, RECOMBINANT
VECTORS CONTAINING THE SAME AND METHOD
FOR PROMOTING EXPRESSION OF STRUCTURAL
GENES USING THE SAME

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

November 18, 2003

Sir:

Japan Tobacco Inc., (hereinafter "the Assignee")

☐ residing at _____,

☒ a corporation of Japan having a principal place of business at 2-1, Toranomom 2-chome, Minato-ku, Tokyo, Japan,

☐ a university having an address of

represents that it is the true owner of the entire interest of U.S. patent Application No. 09/600,602, filed on October 3, 2000, for "NUCLEIC ACID FRAGMENTS, RECOMBINANT VECTORS CONTAINING THE SAME AND METHOD FOR PROMOTING EXPRESSION OF STRUCTURAL GENES USING THE SAME," (hereinafter "above-identified application") by virtue of and as evidenced by an Assignment recorded at the United States Patent and Trademark Office at Reel 11210, Frame(s)

0948-0952.

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The Assignee hereby disclaims the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patents 5,801,016 and 6,214,578, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to U.S. Patents 5,801,016 and 6,214,578 shall be the same as the legal title to any patent issuing from the above-identified application, this agreement to run with any patent granted on the above-identified application, and to be binding upon the grantee, its successors or assigns.

The Assignee does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patents 5,801,016 and 6,214,578 in the event that either or both later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

This Terminal Disclaimer is submitted on behalf of the Assignee by the undersigned, an attorney of record in the above-

Appl. No. 09/600,602

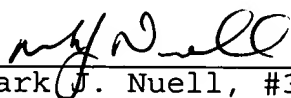
identified application.

Please charge any fees or credit any overpayment pursuant to
37 C.F.R. § 1.20 to Deposit Account No. 02-2448.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

Date: November 18, 2003

By 
Mark J. Nuell, #36,623

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Attachment(s)

(Rev. 09/30/03)